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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,919	09/22/2006	Takato Kobayashi	07200/083001	5893

22511 7590 03/17/2008
OSHA LIANG L.L.P.
1221 MCKINNEY STREET
SUITE 2800
HOUSTON, TX 77010

EXAMINER

LUEBKE, RENEE S

ART UNIT	PAPER NUMBER
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2833

NOTIFICATION DATE	DELIVERY MODE
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03/17/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com
buta@oshaliang.com

Office Action Summary	Application No. 10/593,919	Applicant(s) KOBAYASHI & NOZAKI & WATANABE	
	Examiner Renee S. Luebke	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The drawings remain objected to because the cross-hatching is incorrect. Insulative materials, such as the silicone rubber keypad, should be shown appropriately. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application.

2. It is noted that claim 5 was not properly copied and marked-up from the previous version. In the following Office action, It has been considered as submitted on February 5, 2008.

3. Claims 3 and 5 are objected to because of the following informalities:

- Claim 3 lacks antecedent basis for “the key top made of hard resin” on the last line. Although a keytop was introduced in claim 1, no “keytop made of hard resin” is previously mentioned.
- Claim 5 lacks antecedent basis for “the through hole” on line 3 as there are a plurality of through holes in the claim.

Appropriate corrections are required.

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1 and 2 remain rejected under 35 U.S.C. 102(b) as being anticipated by Taylor. This cover member for a push-button switch comprises a hard base 25 and a keypad 10, wherein the hard base is made of a hard resin (column 4, lines 53-54) with a through hole for a key top, and wherein the keypad is made of a silicone rubber film (column 4, lines 55-56). A front surface (at 23) of the keypad is in contact with an entire back surface (at 23) of the hard base; the step formed at interface 23 is seen to be “an entire back surface” as claimed. This back surface (at shoulder 23) is thereby prevented

from being in contact with any other member. The keypad is exposed through the through hole, and a back surface of the keypad corresponding to the through hole is provided with a press projection (bottom of plunger 18) for pressing a contact point 11.

Applicant argues that the keypad is not in contact with the entire back surface of the base. However, the claim does not define these structures with the specificity that applicant assumes in the arguments. As noted above, a surface (at 23) of Taylor, which is entirely in contact with the keypad, is identified.

6. Claims 3 and 6 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor in view of Schmidt, et al. as previously discussed and not separately argued by applicant.

7. Claim 5, as best understood, remains rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor in view of Larson as previously discussed and not separately argued by applicant.

8. Claims 4, 7 and 9-11 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor in view of Fujiki, et al., and Claim 8 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor and Schmidt, as applied to claim 3 above, and further in view of Fujiki. as previously discussed and not separately argued by applicant.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

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shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. It is suggested that responses to this final action be faxed to:

(571) 273-8300

Please refrain from sending a confirmation copy, as noted in 37 CFR 1.6(d) and 1.8(b).

Alternatively, responses may be mailed to:

Commissioner for Patents

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mrs. Renee Luebke at (571) 272-2009. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Paula Bradley, can be reached at (571) 272-2800, extension 33.

/Renee S Luebke/
Primary Patent Examiner
March 4, 2008